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OFFICE OF PETITIONS

In re Application of
Bentley J. Palmer et al.
Application No. 09/829,110
Filed: April 9, 2001
Attorney Docket No.: 56.0550
Title: SCALE REMOVAL

DECISION ON PETITION UNDER
37 C.F.R. §1.137(b)

This is a decision on the petition under 37 CFR §1.137(b)¹, filed January 19, 2005, to revive the above-identified application.

The above-identified application became abandoned for failure to submit the issue fee and publication fee in a timely manner in reply to the Notice of Allowance and Issue Fee Due, mailed August 25, 2004, which set a shortened statutory period for reply of three (3) months. No extensions of time are permitted for transmitting issue or publication fees². Accordingly, the above-identified application became abandoned on November 26, 2004. A Notice of Abandonment was mailed on January 3, 2005.

With the petition, Petitioner has submitted the petition, issue, and publication fees, and the proper statement of unintentional delay.

Petitioner has met all requirements for a grantable petition under 37 C.F.R. §1.137(b). As such, the petition is **GRANTED**.

¹ A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

² See MPEP §710.02(e).

The application file is being forwarded to the Office of Patent Publications for further processing into a patent.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225.

A handwritten signature in black ink, appearing to read "Paul Shanowski".

Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office